

Stephanie Van Marter
Acting United States Attorney
Eastern District of Washington
Lisa C. Cartier Giroux
Assistant United States Attorney
Post Office Box 1494
Spokane, WA 99210-1494
Telephone: (509) 353-2767

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MIKKI PIKE HATFIELD,

Defendant.

2:25-CR-00113-RLP-3

United States' Supplement to Motion
for Detention (ECF No. 55)

Plaintiff, United States of America, by and through Stephanie Van Marter, Acting United States Attorney for the Eastern District of Washington, and Lisa C. Cartier Giroux, Assistant United States Attorney for the Eastern District of Washington, submits this Supplement to the United States' Motion for Detention (ECF No. 55) in advance of the hearing currently scheduled for 10:00 am on July 17, 2025.

I. Background

On July 9, 2025, Defendant and eight of his co-conspirators were indicted by a federal grand jury sitting in the Eastern District of Washington. ECF No. 1. Defendant was charged in the indictment with *Conspiracy to Impede or Injury Officers*, in violation of 18 U.S.C. § 372. Defendant was also charged with *Assault*

1 on a Federal Officer and Employee and Person Assisting (physical contact/intent to
2 cause another felony), in violation of 18 U.S.C. § 111(a)(1) and (b). The Defendant
3 was arraigned on the indictment on July 15, 2025. *See* ECF No 69. The United States
4 filed a motion seeking detention, arguing that Defendant was both a flight risk and
5 a danger, and invoked the right to seek detention pursuant to both 18 U.S.C. §
6 3142(f)(1) and (2). *See* ECF No. 55. Pretrial Services recommended that Defendant
7 be detained as both a flight risk and danger. *See* ECF Nos. 60, 113. The Defendant
8 requested a detention hearing which was set by the Magistrate Judge for July 18,
9 2025. *See* ECF No. 94.

10 The United States continues to oppose release.

11 II. Argument

12
13 The United States is entitled to a request that a defendant be detained in a case
14 that involves “any felony that is not otherwise a crime of violence that involves ...
15 the possession or use of a firearm or destructive device (as those terms are defined
16 in section 921), or any other dangerous weapon ...” 18 U.S.C. § 3142(f)(1)(E). The
17 United States is similarly entitled to request detention in a case that involves “a
18 serious risk that such person will obstruct or attempt to obstruct justice, or threaten,
19 injure, or intimidate, or attempt to threaten, injure, or intimidate, a prospective
20 witness or juror”. 18 U.S.C. § 3142(f)(2)(B). A detention hearing is appropriate
21 under 18 U.S.C. § 3142(f) if the United States presents “some evidence” of one of
22 the enumerated factors. While opinions analyzing § 3142(f)(2) have generally
23 applied a preponderance of the evidence standard, *see, e.g., United States v. Fanyo-*
24 *Patchou*, 426 F. Supp. 3d 779 (W.D. Wash. 2019), neither Ninth Circuit precedent
25 nor the statute compel this result. Holding the United States to a preponderance of
26 the evidence standard to demonstrate both a “serious risk of flight” under §
27 3142(f)(2) and whether “no condition or combination of conditions will reasonably
28 assure the appearance of the person as required” under § 3142(e) collapses the

1 analysis into one – if the United States can demonstrate that a defendant poses a
2 “serious risk of flight” by a preponderance of the evidence, the Government
3 necessarily has demonstrated that no conditions will reasonably assure the
4 defendant’s appearance by the same standard. As such an outcome would render the
5 distinction between § 3142(f)(2) and § 3142(e) meaningless, it follows that a lower
6 evidentiary standard should apply to the threshold question of whether a detention
7 hearing is appropriate under § 3142(f)(2), especially in a case where the United
8 States is also requesting detention under the prong that a defendant presents a danger
9 to the community, which must be proved by a lower standard of clear and convincing
10 evidence. *See United States v. Motamedi*, 767 F.2d 1403, 1406-1407 (9th Cir. 1985).
11

12 Once the United States has demonstrated it is entitled to a detention hearing,
13 the specific factors a court considers in determining whether conditions exist that
14 will reasonably assure the appearance of a defendant and the safety of the community
15 pending trial are set forth in 18 U.S.C. § 3142(g). Those factors include:

16 (1) the nature and circumstances of the offense charged, including whether the
17 offense is a crime of violence, a violation of section 1591, a Federal crime of
18 terrorism, or involves a minor victim or a controlled substance, firearm, explosive,
19 or destructive device;

20 (2) the weight of the evidence against the person;

21 (3) the history and characteristics of the person, including—

22 (A) the person's character, physical and mental condition, family ties,
23 employment, financial resources, length of residence in the
24 community, community ties, past conduct, history relating to drug or
25 alcohol abuse, criminal history, and record concerning appearance at
26 court proceedings; and
27

28 (B) whether, at the time of the current offense or arrest, the person
was on probation, on parole, or on other release pending trial,

1 sentencing, appeal, or completion of sentence for an offense under
2 Federal, State, or local law; and

3 (4) the nature and seriousness of the danger to any person or the community
4 that would be posed by the person's release.

5 *See* 18 U.S.C. § 3142(g).

6 The second factor—the weight of the evidence against the defendant—is the
7 least important factor, considering the risk of assessing guilt at the pre-trial stages of
8 the prosecution. *United States v. Gebro*, 948 F.2d 1118, 1121 (9th Cir. 1991).

9 Here, one of the charged offenses alleges the use of a dangerous weapon. The
10 United States is thus entitled to seek detention pursuant to 18 U.S.C. § 3142(f)(1)(E).

11 The underlying conduct for the charged offenses in this case also involves the
12 intimidation and obstruction government officials. Defendant's conduct here
13 demonstrates that there is a serious risk that Defendant may attempt to further
14 obstruct justice in this matter. Therefore, the United States is also entitled to seek
15 detention pursuant to 18 U.S.C. § 3142(f)(2)(B).

16
17 A. Nature and circumstances of the charged offenses

18 The Court may consider the possible punishment and the incentive to flee
19 associated with a defendant's criminal exposure. *See United States v. Townsend*, 897
20 F.2d 989, 995 (9th Cir. 1990). Here, the nature and circumstances of the offense
21 favor detention as the possible punishment provides an incentive to flee. Defendant,
22 as did other co-conspirators, also made efforts to conceal his identity in the
23 underlying offense by wearing large goggles to avoid prosecution. The nature and
24 circumstances of the offense weigh in favor of detention.

25
26 B. Weight of the evidence

27 While the least important factor to consider, the case against the Defendant is
28 strong as much of the activity was captured on video and audio recordings, as well
as documented through social media.

1 Briefly, in sum, the evidence shows that on June 11, 2025, between
2 approximately 1:00 PM and 2:00 PM, multiple CO-CONSPIRATORS¹ surrounded
3 a white transport vehicle that was being used by U.S. Immigration and Customs
4 Enforcement (ICE) and Homeland Security Investigations (HSI) for transport of
5 detainees to their hearings in front of an immigration judge in Tacoma, WA. The
6 transport vehicle was parked on the north side of the HSI Field Office located at 411
7 W Cataldo Avenue, Spokane Washington. An individual who identified himself to
8 local news reporters as “Benjamin Stuckart” (“STUCKART”) sat aside the white
9 transport vehicle with CO-CONSPIRATORS, physically blocking entry into the
10 vehicle to prevent HSI and ICE from placing detainees into the vehicle for transport.
11

12 Federal Bureau of Investigation (“FBI”) Special Agents reviewed several
13 local news articles from KHQ and KREM 2 where STUCKART identified himself
14 and stated his express intent to impede federal law enforcement from leaving the
15 federal facility with the detainees.

16 On June 12, 2025, FBI Special Agents interviewed Immigration and Customs
17 Enforcement (ICE) Enforcement and Removal Operations (ERO) Deportation
18 Officer (DO) who was on site on June 11, 2025. The DO reported that on June 11,
19 2025, at approximately 12:15 PM, he was letting an individual out of the HSI facility
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27 ¹ The United States acknowledges that there were protestors present who were lawfully
28 exercising their First Amendment rights. The reference to CO-CONSPIRATORS does not
include those protestors; it applies only to those who were engaged in actions that constitute
violations of federal law.

1 when he identified two adult males for whom there were active arrest warrants²³.
2 The DO referred to the two males he observed on June 11th as “Cesar” and “Joswar”.
3 “Cesar” and “Joswar” approached the entrance of the building with an individual the
4 DO identified as STUCKART and two other unknown individuals. “Cesar” and
5 “Joswar” were arrested pursuant to the warrant when they were brought into the
6 facility. The DO reported that he informed STUCKART that “Cesar” and “Joswar”
7 would see an immigration judge for their hearings in Tacoma, Washington.
8

9 Based upon FBI’s investigation and information from other law enforcement
10 officers, after “Cesar” and “Joswar” were taken into custody, STUCKART
11 disseminated a call on social media for others to come to the federal facility to stop
12 federal officers from leaving the federal facility with “Cesar” and “Joswar”.
13 Following STUCKART’s Facebook post at 12:52 PM, individuals began to arrive
14 at the facility. Defendant Mikki Pike HATFIELD (“HATFIELD”) was identified as
15 one of the individuals who appeared to respond to STUCKART’s call. Several acts
16 committed by HATFIELD were captured on bodycamera video, and by media video,
17 as well as drone video. HATFIELD is seen blocking the white transport bus and the
18

19 ² There has been widespread inaccurate reporting regarding the legal immigration status of
20 “Cesar” and “Joswar”. According to immigration authorities, both “Cesar” and “Joswar” entered
21 the United States unlawfully without documents. Once unlawfully present in the United States,
22 they each made a claim for asylum. With few exceptions, the prior administration paroled
23 similarly situated individuals and assigned hearing dates, sometimes years in the future. Such
24 was the case with “Cesar” and “Joswar”. Warrants were issued to bring them into custody after
25 the current administration ended parole in such cases. “Cesar” and “Joswar” were then taken into
26 custody to be transported to Tacoma, WA to have their hearings on any and all claims in front of
27 an immigration judge.

28 ³ Homeland Security Investigations (HSI) personnel have advised that records reveal that
“Cesar’s” and “Joswar’s” Employment Authorization Documents (EADs) had been cancelled on
May 29, 2025. Further, the Department of Homeland Security (DHS) had publicly announced in
March 2025 that the prior administration’s parole program allowing the temporary parole of
undocumented persons such as “Cesar” and “Joswar” in the United States was terminated, and
those whose parole had not already expired by April 24, 2025, would terminate on that date
(April 24, 2025) unless the Secretary of Homeland Security made an individual determination to
the contrary.

1 red transport van, and at the southern secure vehicle gate physically blocking the
2 convoy's exit. HSI building surveillance video captured HATFIELD placing items
3 which appear to be sand/cement bags, and other objects in front of the HSI secured
4 parking facility's north pedestrian egress to block the exit. HATFIELD briefly met
5 with, and appeared to coordinate with, an individual later identified as indicted co-
6 conspirator, Collin James MUNCEY ("MUNCEY"), who similarly placed objects
7 around the secured parking area's egress points to block them. HATFIELD was later
8 observed on a bicycle after the dispersal order was given. HATFIELD was depicted
9 in pictures and video around incendiary crowd control devices. A media video shows
10 HATFIELD picking up some type of incendiary device and throwing it in the
11 direction of Spokane Police Department and/or Spokane County Sheriff's Office
12 deputies. In a media article about the 6/11 protests, a section was filled with quotes
13 from individuals, titled, "Why people were willing to be arrested." The following
14 quote was included which investigators were able to link to HATFIELD: "I like my
15 ICE crushed and I'm here to show white men what it means to do the bare fucking
16 minimum." – Mickey Pike. At the time of his arrest, the clothing items he wore and
17 the bicycle, helmet, and goggles he used on June 11, 2025, all captured on video,
18 were recovered⁴.

20 Thus, this factor weighs in favor of detention.

21 C. History and characteristics of the defendant

22 The history and characteristics of the defendant weigh in favor of finding the
23 Defendant is a risk of flight and a danger to the community. While Defendant has
24 minimal criminal history, the Pretrial Services Report reveals a lack of familial,
25 residential, economic, and employment ties to the community. Additionally, there
26 appears to be a substance abuse history.

28 ⁴ The United States has filed an unscannable Exhibit A containing a video and photos in support of this factor.

1 This factor weighs in favor of detention.

2 D. The nature and seriousness of the danger to any person or the community
3 that would be posed by the person's release

4 The Defendant represents a danger to the community. Defendant engaged in
5 deliberate actions to intimidate law enforcement, threaten and coerce them, and the
6 use of force. Defendant's conduct was relentless and occurred over hours -- almost
7 9 hours. His open declaration about how he "likes his ICE crushed", an obvious
8 reference to the acronym for Immigration, Customs, and Enforcement, demonstrates
9 a willingness to commit acts of violence, and a lack of care for the consequences of
10 his actions.

11 This factor weighs in favor of detention.

12
13 II. Conclusion

14 For the reasons set forth herein, the United States submits that the Defendant's
15 motion should be denied and the Defendant remain detained, as there are no
16 conditions or combination of conditions that can be fashioned to assure his
17 appearance or the safety of the community.

18
19 Dated: July 18, 2025.

20
21 Stephanie Van Marter
22 Acting United States Attorney

23 s/ Lisa C. Cartier Giroux
24 Lisa C. Cartier Giroux
25 Assistant United States Attorney
26
27
28

CERTIFICATE OF SERVICE

I hereby certify that on July 18, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

David Partovi

s/ Lisa C. Cartier Giroux
Lisa C. Cartier Giroux
Assistant United States Attorney